

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKCROWN CORK & SEAL COMPANY, INC.
MASTER RETIREMENT TRUST, *et al.*,
Plaintiffs,

v.

CREDIT SUISSE FIRST BOSTON CORP., *et al.*,
DefendantsCase No. 12-05803-JLG
Judge James L. GrahamSTATE OF ARIZONA, *et al.*,
Plaintiffs,

v.

CREDIT SUISSE FIRST BOSTON CORP., *et al.*,
DefendantsCase No. 12-05804-JLG
Judge James L. GrahamCITY OF CHANDLER, *et al.*,
Plaintiffs,

v.

BANK ONE, N.A., *et al.*,
DefendantsCase No. 12-05805-JLG
Judge James L. GrahamLLOYDS TSB BANK, PLC,
Plaintiffs,

v.

BANK ONE, N.A., *et al.*,
DefendantsCase No. 12-07263-JLG
Judge James L. GrahamMETROPOLITAN LIFE INSURANCE
COMPANY, *et al.*,
Plaintiffs,

v.

BANK ONE, N.A., *et al.*,
DefendantsCase No. 12-07264-JLG
Judge James L. Graham**ORDER REGARDING CONFIDENTIAL MATERIALS**

It is hereby **ORDERED** that, at the trial of the case, discovery materials previously designated as confidential under the Court's prior orders will be treated as follows:

1. No existing protective order or confidentiality agreement entered in this case shall apply to the use of materials produced or generated in discovery in the MDL proceeding by plaintiffs, Credit Suisse, or Lance Poulsen at trial except as provided hereafter.
2. On March 1, 2013 (the date previously designated for the parties to exchange objections to exhibits appearing on the other parties' exhibit lists), the parties shall identify: (a) any

document on any party's exhibit list that the party seeks to shield from public access at trial; and (b) a particularized showing that under existing Second Circuit precedent (e.g., *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006)), the document should be excepted from public disclosure at trial.

3. On March 18, 2013 (following the date previously designated for the parties to exchange rebuttal deposition designations, optional completeness designations, and objections to counter-designations), the parties shall identify: (a) any deposition testimony designated for use at trial by any party, by page and line, that the party seeks to shield from public access at trial; and (b) a particularized showing that under existing Second Circuit precedent (e.g., *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006)), the deposition testimony should be excepted from public disclosure at trial.
4. The Court will consider and rule on requests to restrict public access to particular trial exhibits and trial deposition designations at a pretrial conference before the beginning of trial.

SO ORDERED.

s/ James L. Graham

James L. Graham
United States District Judge

Dated: New York, New York

December 21, 2012